THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO: 18300 OF 2006

Dated: 11.12.2007

Between:

Lakkam Diwakar.

..... PETITIONER

AND

The Revenue Divisional Officer and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 18300 OF 2006

ORDER:

1. Heard Smt. G.Vijaya Lakshmi, the learned counsel representing the writ petitioner, the learned Assistant Government Pleader for Civil Supplies and Sri P.Veera Reddy, the learned counsel representing the respective respondents. Respondent No.4 was impleaded by an order of this Court dated 07.12.2007 in W.P.M.P.No.7279 of 2007.

2. The writ petition is filed for a writ of Mandamus, to declare to action of the 1st respondent in suspending the authorization vide proceedings No.G/447/2006 dated 16.03.2006 on untenable and flimsy grounds and the further action of the 2nd respondent in dismissing the appeal filed by the petitioner vide proceeding No.CSIU/26 0/2006 dated 15.07.2006 as illegal, arbitrary, unconstitutional and contrary to true and correct facts and

consequently set aside the proceedings of the 1st respondent dated 16.03.2006 and the appellate order dated 15.07.2006 of the 2nd respondent.

3. The 4th respondent filed W.V.M.P.No.3196 of 2007 to vacate the interim order dated 01.09.2006 made in W.P.M.P.No.22981 of 2006. At the request of the learned counsel on record, the matter is being disposed of finally.

4. This Court issued Rule Nisi on 01.09.2006 and made an interim order in W.P.M.P.No.22981 of 2006 as already referred to above. Several facts have been narrated in the affidavit filed in support of the writ petition. The learned counsel for the writ petitioner also places strong reliance on a Judgment of this Court in **M.A.Ghani vs. District Collector, Mahabubnagar District**[1].

5. Several of the facts, which had been narrated in the affidavit filed in support of the writ petition, had been denied in the counter affidavit filed along with the vacate application. Learned Assistant Government Pleader also places reliance on a Judgment of this Court in **M.Chandra Obula Reddy vs. District Collector, Cuddapah District**[2].

6. This Court is not inclined to express any opinion relating to the merits and demerits of the matter. In the facts and circumstances, let the 1st respondent complete the enquiry within a period of four (4) weeks from the date of receipt of a copy of this order. Till then, the interim direction granted by this Court to be operative.

7. Accordingly, the writ petition is disposed of. No order as to costs.

11.12.2007

Note: Issue C.C. in three days.

(B/o)

JSU

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[1] 2005(2) ALD (NOC 125)

[2] 1998(2) ALD 73